

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 94-40480
Summary Calendar

CLEMMIE RAY WICKWARE,

Plaintiff-Appellant,

versus

JOHN STICE, ET AL.,

Defendants-Appellees.

Appeal from the United States District Court for
the Eastern District of Texas
(6:94-CV-43)

(October 12, 1994)

Before REAVLEY, HIGGINBOTHAM and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

Clemmie Ray Wickware ("Wickware"), proceeding pro se and in forma pauperis, appeals the District Court's dismissal of his suit against prison officials claiming violations of 42 U.S.C. §1983 based on a conspiracy regarding miscalculations of time served. We affirm.

Wickware's allegations regarding the alleged conspiracy are conclusory at most. "Bald allegations that a conspiracy existed

*Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

are insufficient" to state a §1983 claim. Lynch v. Cannatella, 810 F.2d 1363, 1370 (5th Cir. 1987). In addition, the Texas Court of Criminal Appeals responded to Wickware's post-conviction writ of habeas corpus by granting relief and ordering the prison system to grant Wickware additional time credit. Ex parte Wickware, 853 S.W.2d 571, 574 (Tex. Crim. App. 1993). Any miscalculations of time served have now been corrected and Wickware will not be held in prison longer than legally required. No injury has been suffered. We affirm the district court's dismissal of Wickware's case. Coral Petroleum, Inc. v. Banque Paribas-London, 797 F.2d 1351, 1355 n.3 (5th Cir. 1986)(district court's judgment may be affirmed on any appropriate ground).

AFFIRMED.